

REMARKS

Claims 1 and 65 have been amended. Claims 1-18 and 65 are pending in the application.

On page 2 of the Office Action, claim 65 was rejected under 35 U.S.C. § 101 due to the claim allegedly being directed to non-statutory subject matter. Applicants have amended claim 65 to include the recitation of, "a computing device." Withdrawal of the rejection is respectfully requested.

On page 5 of the Office Action, the Examiner rejected claims 16-18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner questions whether marketing information can be gathered between the customer and the seller, as the claim recites an "anonymous" order.

Applicants respectfully submit that the marketing information could include information based on the customer's sex and age, which would still allow the customer to remain anonymous. Therefore, withdrawal of the rejection is respectfully requested.

On page 6 of the Office Action, claims 1 and 65 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,807,530 (Shub).

Shub is directed to a method and apparatus for enabling customers to remotely order goods from a merchant. According to Shub, the customer contacts a personal or electronic agent of the merchant at the merchant's agent. See Shub, column 6, lines 43-47.

The present invention is directed to an E-commerce method for an E-commerce system, which can protect consumer's personal information (e.g., address, name, telephone number). To protect the consumer's personal information, an order is sent to the seller's terminal using transaction ID information, which does not include personal information via a payment agent's terminal. Thus, using the method of the present invention, the customer can perform the transaction and remain anonymous to the seller. See Specification of the Present Invention, page 6, lines 6-22.

Applicants respectfully submit that currently amended claim 1, for example, includes the recitation, "sending an anonymous order to the seller's terminal for a commodity via the information communication network, said anonymous order being void of personal identification

information.”

Applicants further respectfully submit that the currently amended version of claim 1, for example, is patentable over Shub, as Shub fails to disclose the above-identified feature of the present invention. Although Shub states that its order is placed anonymously, the information is present in the order, as Shub clearly states that the information is either (1) “blinded” or (2) encoded. Unlike the present invention, in Shub, with either option, the identifying information is included within the order; the information is simply hidden or encoded into what initially appears to be an unreadable form. Thus, a user’s identifying information in Shub is subject to decoding, thereby providing a risk to identity information theft. In contrast, in the present invention, the order does not include personal identification information in any form, encoded or otherwise.

Therefore, independent claims 1 and 65 are patentable over the reference, as the reference does not disclose the above-identified feature.

On page 7 of the Office Action, claims 2-6, 11-13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub in view of U.S. Pat. No. 6,336,100 (Yamada). As explained above, Shub does not teach, “sending an anonymous order to the seller’s terminal for a commodity via the information communication network, said anonymous order being void of personal identification information,” as recited in currently amended claim 1, for example. As Shub teaches away from the present invention, Shub also does not suggest the feature.

Yamada is directed to an online shopping system including a server and a plurality of pieces of customers’ terminal equipment electrically connected to the server. According to Yamada, the online shopping service provider records member discriminating information, that is, personal identifying information, that discriminates account settlement systems and members under the online shopping system from each other. Yamada clearly states that the order includes the member discriminating information. See Yamada, column 2, line 57 – column 3, line 5. Thus, unlike in the present invention, in Yamada, the order is not void of personal identification information.

Therefore, claims 2-6, 11-13, and 15, via claim 1, are patentable over Shub in view of Yamada, as neither Shub nor Yamada, taken alone or in combination, teaches or suggests the above-identified feature of the claims.

On page 11 of the Office Action, claims 7-8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub and Yamada as applied to claim 1, and further in view of U.S. Pat. No. 6,236,972 (Shkedy).

Shkedy is directed to a method for using a computer to facilitate a transaction between at least one buyer and at least one seller. According to Shkedy, a customer determines a mutual fund to be traded and receives a schedule of fees from the central controller. After the determination is made, the customer then submits an order to the central controller.

In Shkedy, identifying information such as the name of the buyer is included within the order. See Shkedy, column 17, lines 2-15. See *also* Figure 2A, step 48 (indicating that buyer inputs identification). Moreover, unlike the present invention, in Shkedy, the order is not for a commodity. Rather, the order is for a quantity of shares to be traded. See Shkedy, column 4, lines 14-21.

Therefore, claims 7-8 and 10, via claim 1, are patentable over Shub and Yamada in view of Shkedy, as none of the references, taken alone or in combination, teach or suggest the above-identified feature of the claims.

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub and Yamada as applied to claim 1, and further in view of U.S. Pat. No. 6,085,170 (Tsukuda).

Tsukuda is directed to a delivery managing system. Tsukuda includes means for determining scheduled date and time for delivery of the purchased commodities or goods, from schedule information of delivery information of each area of the distributor and schedule information of the purchaser. See Tsukuda, column 2, lines 48-52.

As is shown in Figure 4, unlike the present invention, Tsukuda clearly provides personal identification information in the order. Therefore, claim 9, via claim 1, is patentable over the references, as none of the references, taken alone or in combination, teaches or suggests the above-identified feature of the claims.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub in view of Tsukuda and U.S. Pat. No. 6,609,113 (O'Leary).

O'Leary is directed to a method and system that allegedly allows users to shop on the Internet and pay bills without the consumer having to share account number information with a payee. The system includes a payment portal processor, a digital wallet, and an Internet Pay Anyone (IPA) account, among other components.

As to O'Leary, the digital wallet includes personal identifying information such as the user's shipping address, e-mail address, and/or credit/debit card numbers. Therefore, claim 14 via claim 1 is patentable over the references, as none of the references, taken alone or in combination, teach or suggest, "sending an anonymous order to the seller's terminal for a

commodity via the information communication network, said anonymous order being void of personal identification information."

On page 13 of the Office Action, claims 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shub in view of U.S. Pat. No. 6,748,365 (Quinlan). As Quinlan discloses, "identifying information corresponding to the consumer," Quinlan does not teach or suggest the above-identified feature of the present invention.

In light of the foregoing, the claims of the present invention are patentable over the references.

If there are any formal matters remaining after the current Amendment, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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